

\*\*E-filed 6/5/07\*\*

1 JOSEPH N. KRAVEC, JR. (*PRO HAC VICE*)  
 2 WYATT A. LISON  
 3 SPECTER SPECTER EVANS & MANOGUE PC  
 The 26th Floor Koppers Building  
 Pittsburgh, Pennsylvania 15219  
 Telephone: (412) 642-2300  
 Facsimile: (412) 642-2309  
 Email: jnk@ssem.com

5 JANET LINDNER SPIELBERG (221926)  
 6 LAW OFFICE OF JANET LINDNER SPIELBERG  
 12400 Wilshire Boulevard, Suite 400  
 7 Los Angeles, California 90025  
 Telephone: (310) 392-8801  
 Facsimile: (310) 278-5938

9 MICHAEL D. BRAUN (167416)  
 10 BRAUN LAW GROUP PC  
 12400 Wilshire Boulevard, Suite 920  
 Los Angeles, California 90025  
 11 Telephone: (310) 442-7755  
 Facsimile: (310) 442-7756

12 IRA SPIRO (67641)  
 13 SPIRO MOSS BARNESS & BARGE, LLP  
 11377 West Olympic Boulevard, Fifth Floor  
 14 Los Angeles, California 90064-1683  
 Telephone: (310) 235-2468  
 Facsimile: (310) 235-2456

16 *Attorneys for Plaintiff and the proposed class*

17 FELICIA Y. FENG (184346)  
 18 MCKENNA LONG & ALDRIDGE LLP  
 101 California Street, 41st Floor  
 San Francisco, California 94111  
 19 Telephone: (415) 267-4000  
 Facsimile: (415) 267-4198  
 20 Email: ffeng@mckennalong.com

21 DAVID L. BALSER (GA 035835)  
 (PRO HAC VICE)  
 22 NATHAN L. GARROWAY (GA 142194)  
 (PRO HAC VICE)  
 23 MCKENNA LONG & ALDRIDGE LLP  
 303 Peachtree Street, N.E., Suite 5300  
 Atlanta, GA 30308  
 24 Telephone: (404) 527-4000  
 Facsimile: (404) 527-4198  
 25 Email: dbalser@mckennalong.com  
 ngarroway@mckennalong.com

27 *Attorneys for Defendant ATT Mobility f/k/a Cingular  
 Wireless LLC*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN C. KALTWASSER, on  
behalf of himself and all others similarly  
situated,

Plaintiffs,

V.

AT&T MOBILITY LLC f/k/a CINGULAR  
WIRELESS LLC.

Defendant.

CASE NO. 5:07-cv-00411-JF

**SECOND STIPULATION FOR ORDER  
CHANGING TIME PURSUANT TO  
NORTHERN DISTRICT LOCAL RULE 6-2**

## STIPULATION

**WHEREAS**, Plaintiff Jonathan C. Kaltwasser (“Plaintiff”) filed the above-entitled action in the United States District Court for the Northern District of California on January 22, 2007 and served Defendant on January 29, 2007;

WHEREAS, under applicable rules, prior Court order, and pursuant to the parties' previous stipulations, the Defendant must answer, move against, or otherwise respond to the Complaint no later than June 15, 2007;

WHEREAS, the parties continue to desire to determine if they can reach a mutually acceptable resolution through the exchange of information and negotiation.

WHEREAS, in seeking to reach a mutually acceptable resolution through the exchange of information and negotiation, Defendant has disclosed and produced to Plaintiff more than 100,000 pages of information in response to Plaintiff's requests.

**WHEREAS**, in seeking to reach a mutually acceptable resolution through the exchange of information and negotiation, Plaintiff requires additional time to review and analyze the more than 100,000 pages of information produced by Defendant prior to continuing discussions toward a resolution of this action with Defendant.

1           **WHEREAS**, Defendant would like to preserve its ability to move to compel arbitration in  
2 the case with the understanding that Plaintiff will likewise preserve his right to oppose any such  
3 motion.

4           **WHEREAS**, under Northern District Local Rule 6-2, parties may file a stipulation  
5 requesting an order changing time that would affect the date of an event or deadline already fixed  
6 by Court order.

7           **WHEREAS**, the present deadlines set forth in this case pursuant to the March 9, 2007  
8 “Order Changing Time Pursuant to Northern District Local Rule 6-2” are June 18, 2007 (ADR  
9 and meet and confer); July 2, 2007 (26(f) report, Case Management Statement and Initial  
10 Disclosures); and July 13, 2007 (Initial Case Management Conference).

11           **WHEREAS**, the parties would like to stipulate to allow Defendant until July 30, 2007 to  
12 answer, move against, or otherwise respond to the Complaint (which includes moving to compel  
13 arbitration).

14           **WHEREAS**, the parties would like an order extending the deadlines for their ADR  
15 submission, 26(f) Report-Case Management Statement-Initial Disclosures, and Initial Case  
16 Management Conference for two months. The new deadlines would be: ADR papers and meet  
17 and confer by August 20, 2007; 26(f) report-Case Management Statement-Initial Disclosures by  
18 September 3, 2007, and the Initial Case Management Conference to be scheduled in September  
19 2007.

20

21

22

23

24

25

26

27

28

1 THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED THAT  
2 Defendant shall have until July 30, 2007 to answer, move against, or otherwise respond to the  
3 Complaint (which includes moving to compel arbitration). In addition, the following new  
4 deadlines would be put in place: ADR papers and meet and confer by August 20, 2007; 26(f)  
5 report-Case Management Statement-Initial Disclosures by September 3, 2007, and the Initial Case  
6 Management Conference to be scheduled in September 2007.

*s/ Joseph N. Kravec (w/ express permission)*

Michael D. Braun (167416)  
Braun Law Group PC  
12400 Wilshire Boulevard, Suite 920  
Los Angeles, California 90025  
Telephone: (310) 442-7755  
Facsimile: (310) 442-7756

Joseph N. Kravec, Jr. (*PRO HAC VICE*)  
Wyatt A. Lison  
Specter Specter Evans & Manogue PC  
The 26th Floor Koppers Building  
Pittsburgh, Pennsylvania 15219  
Telephone: (412) 642-2300  
Facsimile: (412) 642-2309  
Email: [jnk@ssem.com](mailto:jnk@ssem.com)

Janet Lindner Spielberg (221926)  
Law Office of Janet Lindner Spielberg  
12400 Wilshire Boulevard, Suite 400  
Los Angeles, California 90025  
Telephone: (310) 392-8801  
Facsimile: (310) 278-5938

Ira Spiro (67641)  
Spiro Moss Barness & Barge, LLP  
11377 West Olympic Boulevard, Fifth Floor  
Los Angeles, California 90064-1683  
Telephone: (310) 235-2468  
Facsimile: (310) 235-2456

*Attorneys for Plaintiff and the proposed class*

s/ Felicia Y. Feng

McKenna Long & Aldridge LLP  
101 California Street, 41st Floor  
San Francisco, California 94111  
Telephone: (415) 267-4000  
Facsimile: (415) 267-4198  
Email: ffeng@mckennalong.com

David L. Balser (GA 035835)  
(*PRO HAC VICE*)  
Nathan L. Garroway (GA 142194)  
(*PRO HAC VICE*)  
McKenna Long & Aldridge LLP  
303 Peachtree Street, N.E., Suite 5300  
Atlanta, GA 30308  
Telephone: (404) 527-4000  
Facsimile: (404) 527-4198  
Email: [dbalser@mckennalong.com](mailto:dbalser@mckennalong.com)  
[ngarroway@mckennalong.com](mailto:ngarroway@mckennalong.com)

*Attorneys for Defendant ATT Mobility f/k/a Cingular Wireless LLC*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN C. KALTWASSER, on  
behalf of himself and all others similarly  
situated,

Plaintiffs,

V.

AT&T MOBILITY LLC f/k/a CINGULAR  
WIRELESS LLC,  
Defendant.

CASE NO. 5:07-cv-00411-JF

[PROPOSED] SECOND ORDER  
CHANGING TIME PURSUANT TO  
NORTHERN DISTRICT LOCAL RULE 6-2

For good cause shown and to encourage resolution and exchange of information between the parties, Defendant shall have until July 30, 2007 to answer, move against, or otherwise respond to the complaint (which includes moving to compel arbitration).

In addition, the following new deadlines are established:

- 1) ADR papers and meet and confer by August 20, 2007;
- 2) 26(f) report-Case Management Statement-Initial Disclosures by September 3, 2007; and
- 3) The new date for the Initial Case Management conference is September 21 2007.

6/5/07

  
Honorable Jeremy Fogel  
United States District Court  
Northern District of California

ATLANTA:4911194.3

## PROOF OF SERVICE

I am a citizen of the United States and employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 101 California Street, 41<sup>st</sup> Floor, San Francisco, California 94111.

**On June 1, 2007, I electronically filed the:**

*Second Stipulation for Order Changing Time  
Pursuant To Northern District Local Rule 6-2; [Proposed] Order*

with the Clerk of the United States District Court - Northern District of California, via the Court's electronic court filing system (ECF). The Court will generate email notification to all attorneys of record participating in this case via ECF. Participating attorneys currently are:

David L. Balser, Esq., McKenna Long & Aldridge LLP  
Nathan L. Garroway, Esq. , McKenna Long & Aldridge LLP  
Felicia Y. Feng, Esq., McKenna Long & Aldridge LLP  
Ira Spiro, Esq., Spiro Moss Barness & Barge, LLP  
Michael David Braun, Esq., Braun Law Group PC  
Joseph Kravec, Esq., Specter Specter Evans & Manogue PC

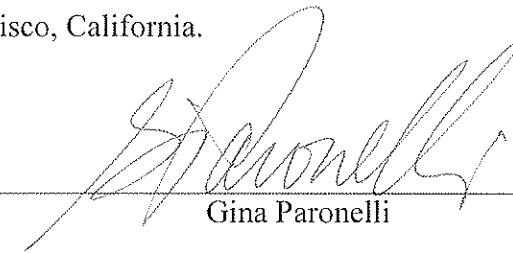
For those served by U.S. Mail, I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On this date I placed with this firm at the above address for deposit with the United States Postal Service, a true and correct copy of the document stated above, in a sealed envelope, postage fully paid, addressed as follows:

Jane Lindner Spielberg, Esq.  
Law Office of Janet Lindner Spielberg  
12400 Wilshire Boulevard, Suite 400  
Los Angeles, CA 90025

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

1 I declare under penalty of perjury under the laws of the State of California that the above  
2 is true and correct.

3 Executed on **June 1, 2007**, at San Francisco, California.



Gina Paronelli

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28